

The Little Traverse Bay Bands of Odawa Indians  
Tribal Council Meeting  
Tribal Court Room  
7500 Odawa Circle Harbor Springs, MI 49740  
February 07, 2010

Closed Session: none

Call to Order: Meeting was called to order at: 9:12 a.m.

Opening Ceremony: moment of silence

Council Present: Legislative Leader Julie Shananaquet, Secretary Regina Gasco Bentley, Treasurer John Bott, Councilor Gerald Chingwa, Councilor Belinda Bardwell, Councilor Melvin L. Kiogima, Councilor Aaron Otto, Councilor Marvin Mulholland, Councilor Rita Shananaquet

Absent: none

Legislative Office Staff Present: Office Manager Michele LaCount

Executive Officials and Staff Present: Tribal Chairman Ken Harrington, Vice-Chairman Dexter McNamara, Gaming Board of Directors: Chairperson Carol McFall, Member Sheran Patton, Member Judy Pierzynowski and Office Manager Cathy Portman, Office of Enterprise Management Chuck Schoefield, Casino: Facilities Director Barry Laughlin, Marketing Director Phil Gonzales, Slot Director Frank Kirsch, Hospitality Director Mike Bodjiak, Director of Finance Scott Cannady, HRIS Analyst Mandy Oliver

Guests: Nancy Kiogima, Christine Shomin, Ellie Barber, Harvey Gibson, Tootsie Keshick Miller, Sarah VanDeCar, Rose Smalley, Christine Rohn, Bea Law, Bill Denemy, John Liebgott, Denise Petoskey, Paul Eames, Linda Gasco, Fred Kiogima, Judy Field, Frank Ettawageshik, Dolly Keway, Amelia Compeaux, William McMillan

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Motion made by Treasurer Bott and supported by Councilor Bardwell to adopt the agenda for February 7, 2009 with changes.

Vote: 8 - Yes, 1 – No (Councilor R. Shananaquet), 0 - Abstained, 0 - Absent

Motion carried.

Motion made by Councilor Mulholland and supported by Councilor Otto to approve the minutes of January 24, 2010 as presented.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

There were no phone polls to approve.

Tribal Elder Comments: Ellie Barber requested funds to be disbursed to assist Tribal Citizens with dental and health care. Rose Smalley spoke regarding the association between the Tribal Chairman and the Gaming Board of Directors. Rose also requested Tribal Council to work together with each other. Judy Field mentioned her attendance at a Gaming Board of Directors meeting. Judy also spoke regarding Tribal Council and Tribal Chairman's roles with the casino. Bea Law spoke against the removal of (2) two Gaming Board of Directors. Judy Field asked for clarification regarding the reinstatement of government employee cost of living and cost cutting measures for government employees with regard to insurance coverage. Ellie Barber thanked Tribal Council and the Administration for doing their jobs. Harvey Gibson spoke in support of Ellie Barber's concerns regarding dental and health care.

Motion made by Secretary Gasco Bentley and supported by Councilor Bardwell to accept Legislative Leader Julie Shananaquet's verbal report for February 7, 2010.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

Motion made by Councilor Otto and supported by Secretary Gasco Bentley to accept Treasurer Bott's verbal and written report for February 7, 2010.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

Motion made by Treasurer Bott and supported by Councilor Bardwell to adopt Tribal Resolution Re-establishment of a Line of Credit for Bell's Fishery.

Roll call vote: Councilor Bardwell-yes, Councilor Chingwa-no, Councilor Kiogima-yes, Councilor Mulholland-no, Councilor R. Shananaquet-no, Councilor Otto-yes, Treasurer Bott-yes, Secretary Gasco Bentley-no, Legislative Leader Julie Shananaquet-no

Motion failed.

Motion made by Councilor Kiogima to recommend Tribal Council appropriate \$10,000 for emergency assistance to the Cheyenne River Sioux of South Dakota with funds coming from the General Funds Prior Period Funds line item.

Elder Comment: Bea Law requested Tribal Council not support the North Dakota Cheyenne River Sioux Tribe ice storm emergency assistance request.

Above motion withdrawn and tabled.

11:03 a.m. Recess called.

11:16 a.m. Meeting reconvened.

Councilor Chingwa deferred to Frank Ettawageshik to provide a verbal report regarding Nimkee Technologies.

Motion made by Councilor Chingwa and supported by Councilor Kiogima to adopt Tribal Resolution amending Waganakising Odawak Inc., Corporate Charter.

Roll call vote: Councilor Bardwell-yes, Councilor Chingwa-yes, Councilor Kiogima-yes, Councilor Mulholland-yes, Councilor R. Shananaquet-no, Councilor Otto-no, Treasurer Bott-yes, Secretary Gasco Bentley-yes, Legislative Leader Julie Shananaquet-no

Motion Failed as it did not meet the requirement of  $\frac{3}{4}$  votes (7 of 9) of the Tribal Council to change the Corporate Charter.

11:53 Public Comment opened: Judy Field spoke regarding Bell's Fishery. Fred Kiogima spoke regarding his and Dolly Keway's removal from the Gaming Board of Directors as illegal. Fred also spoke regarding the Tribal Council Ethics Committee formation and Bell's Fishery being run by the Tribal government. Roseanne Smalley asked Tribal Council and Tribal Chairman and Vice Chairman to let the casino run its self. Judy Field requested the Tribal Chairman and Tribal Council also be required to obtain gaming licenses.

12:05 p.m. Lunch recess called.

1:37 p.m. Meeting reconvened.

Motion made by Councilor Chingwa and supported by Secretary Gasco Bentley to rescind the motion of January 24, 2010 that removed Gaming Board of Directors Dollie Keway and Fred Kiogima, which stated "Motion made by Councilor R. Shananaquet and supported by Councilor Otto to remove Fred Kiogima and Dollie Keway from the Gaming Board of Directors."

Vote: 3 - Yes, 4 – No (Legislative Leader Julie Shananaquet, Councilor Bardwell, Councilor Mulholland Councilor R. Shananaquet), 2 - Abstained (Councilor Kiogima, Treasurer Bott), 0 - Absent

Motion failed.

2:45 p.m. Recess called.

2:57 p.m. Meeting reconvened.

2:58 p.m. Public Comment opened: Paul Eames spoke regarding low casino employee morale and lack of Tribal preference in employment for the past 7-8 years. Bill McMillan spoke in support of Paul Eames public comment. Judy Field spoke in support of Paul Eames and Bill McMillan public comments. Judy also spoke in disappointment regarding the Casino Bingo Bash. Judy further spoke supporting Councilor Kiogima's previous motion regarding removal of the Gaming Board of Director Dollie Keway. Fred Kiogima spoke in opposition regarding the removal of Dollie Keway from the Gaming Board of Directors. Fred also stated Tribal preference in employment should be based on ability. Paul Eames then spoke regarding the Gaming Board of Directors standards and qualifications for the position they hold. Rose Smalley spoke regarding Tribal Preference in employment for qualified people. Judy Field spoke regarding the Gaming Board of Directors qualifications and their need for an attorney.

3:21 p.m. Public Comment closed.

Motion made by Secretary Gasco Bentley and supported by Councilor Bardwell to accept Ethics Committee Chairperson Otto's verbal report for February 7, 2010.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

Motion made by Councilor Mulholland and supported by Councilor Otto to allow Odawa Casino Resort to waive sovereign immunity for the limited purpose of contracting for high speed credit card processing with Elavon, Inc. so long as the contract does not exceed \$10,000.

Motion Withdrawn

Motion made by Secretary Gasco Bentley and supported by Councilor Bardwell to allow the Tribal Chairman to sign the Loyalty and Confidentiality Pledge.

Vote: 6 - Yes, 3 - No (Legislative Leader Julie Shananaquet, Councilor Kiogima, Councilor Chingwa), 0 - Abstained, 0 - Absent

Motion carried.

Motion made by Councilor R. Shananaquet and supported by Councilor Bardwell to accept the Tribal Chairman's verbal and written report for February 7, 2010.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

Motion made by Councilor R. Shananaquet and supported by Councilor Otto to pass Waganakising Odawak Statute Whistle Blower Protection.

Roll call vote: Councilor Bardwell-yes, Councilor Chingwa-yes, Councilor Kiogima-yes, Councilor Mulholland-yes, Councilor R. Shananaquet-absent, Councilor Otto-yes, Treasurer Bott-yes, Secretary Gasco Bentley-yes, Legislative Leader Julie Shananaquet-yes

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor Chingwa to pass Waganakising Odawak Statute Health Department.

Roll call vote: Councilor Bardwell-yes, Councilor Chingwa-yes, Councilor Kiogima-yes, Councilor Mulholland-yes, Councilor R. Shananaquet-no, Councilor Otto-yes, Treasurer Bott-yes, Secretary Gasco Bentley-yes, Legislative Leader Julie Shananaquet-yes

Motion carried.

Motion made by Treasurer Bott and supported by Councilor R. Shananaquet to pass Waganakising Odawak Statute Tribal Treasurer's responsibilities.

Roll call vote: Councilor Bardwell-yes, Councilor Chingwa-yes, Councilor Kiogima-yes, Councilor Mulholland-yes, Councilor R. Shananaquet-yes, Councilor Otto-yes, Treasurer Bott-yes, Secretary Gasco Bentley-yes, Legislative Leader Julie Shananaquet-yes

Motion carried.

4:51 p.m. Motion made by Treasurer Bott and supported by Councilor Chingwa to adjourn.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

These Minutes have been read and approved as corrected:

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Regina Gasco Bentley, Tribal Council Secretary

Date